

Remarks

The Examiner's reconsideration of the application is requested in view of the amendments above, and comments which follow.

Turning first to the Examiner's rejections of claims 1, 19, 27 and 29 under 35 U.S.C. § 112, second paragraph, reconsideration is requested.

With regard to claims 1 and 19, in the claimed arrangement it is essential that there can be relative movement between the receiving means (constituted in the illustrated embodiment by jaws 10 and 16) and the abutment means (constituted in the illustrated embodiment by plunger 30). In the illustrated embodiment, the receiving means (jaws 10 and 16) are stationary and the abutment means (plunger 30) moves relative thereto. However, the arrangement could be the other way round with the abutment means stationary and the receiving means moving relative to the abutment means. It is submitted that the claim language "... either one of the abutment means or the receiving means being moveable ..." is clear in this regard, but if the Examiner wishes any clarifying amendment that might help, the applicant certainly will consider it.

With regard to the indefiniteness objection to claim 27, the term "conducting" is replaced by the term "conveying", e.g. as used on page 6 in paragraph 4 line 7. A similar amendment to claim 15 has also been made.

With regard to claim 29, the references in this claim to "the biasing means" refer back to the "biasing means" of claim 19, which are to be distinguished from the "further biasing means" of that claim. In order further to clarify the point the claims have been amended to refer to "first biasing means" in place of "biasing means". This applies to independent claims 1 and 19 and dependent claims 17, 23, 24 and 29.

It is therefore believed that the issues raised by the Examiner under 35 U.S.C. § 112 have been satisfied.

The Examiner has also rejected the claims under 35 U.S.C. § 103(a) on the basis of obviousness. Reconsideration is requested.

The Examiner's rejection relies on an interpretation of Honan (US 5348158) with which the applicant does not agree. This interpretation corresponds to the interpretation in the previous Office Action. The applicant did not challenge this interpretation in the April 28, 2010 response as the applicant was making claim limitations that the Examiner

had previously indicated would produce an allowable claim, so the interpretation of Honan seemed moot. However, the applicant does now wish to take issue with this interpretation.

The Examiner's interpretation of Honan is given on pages 8 and 9 of the July 22, 2010 Office Action. The Examiner considers that hinge 22 of Honan (which is not described but is shown in Figure 4 as a narrow region of the plastics web linking cover 12 and base portion 13) constitutes biasing means comprising a resiliently flexible substantially U-shaped connecting arm. Applicant submits that this interpretation of Honan is quite unreasonable and unjustified. The hinge 22 of Honan is structurally different and does not function to urge the receiving means into engagement with the blister pack.

The Examiner's analysis on page 9 also requires the open condition of the Honan device, as shown in Figures 3 and 4, in which base portion 13 and cover 12 are in the same plane as each other, to constitute the "neutral position" of the jaws of our apparatus. This overlooks the fact that the jaws of the applicant's apparatus are opposed and that this is the case whether the jaws are in the neutral position, ready to receive the blister pack, e.g. as shown in Figure 1A, or with the blister pack received therebetween ready for dispensing, e.g. as shown in our Figure 3A. Claim 1 already specifies that the apparatus includes a pair of opposed jaws. To emphasize this distinction, claims 1 and 19 have been amended to clarify that the jaws are still opposed in the neutral position, as is clearly shown and described in the specification, e.g. in paragraph 2 on page 6.

Furthermore, with the applicant's apparatus, the act of inserting a blister pack between the jaws has the effect of moving the jaws against the action of the biasing means, as described in the second paragraph on page 6. This feature is specified in the language of claim 1. This feature is not to be found in Honan, where a user simply places a blister pack on base portion 13 and then has the hinge cover 12 through 180° and latch the cover in the closed condition. Inserting a blister pack into Honan does nothing to affect the condition of the jaws.

The construction and functioning of the Honan device is thus quite different from that of the applicant's apparatus.

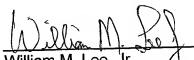
It is noted that the Office Action does not present any comments or arguments in relation to dependent claims 17 and 18.

It is therefore submitted that this application is in order and distinguishes from the prior art. The Examiner's further and favorable reconsideration of the application is therefore urged.

As this response is being submitted during the fourth month following the Examiner's Office Action, an appropriate Petition for Extension of Time is being submitted herewith.

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Respectfully submitted,


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